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## ***OFFICE OF EMERGENCY SERVICES***

### **U.S. Department of Transportation *Hazardous Materials Emergency Preparedness Grant***

### ***Planning Grant Guide For Local Governments***

*Mailing Address  
Governor's Office of Emergency Services  
Hazardous Materials Unit  
3650 Schriever Avenue  
Mather, CA 95655*

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## Part One - Grant Overview

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### Purpose

The Federal Hazardous Material Law authorizes the United States Department of Transportation (DOT), through the Research and Special Programs Administration (RSPA), to provide assistance to public sector employees through training and planning grants. The purpose of the Hazardous Materials Emergency Preparedness (HMEP) grant program is to:

- increase effectiveness in safely and efficiently handling hazardous materials accidents and incidents
- enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)
- encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations.

This is a performance-based grant that builds on and supports accomplishments of long-term goals and objectives.

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### Performance Period

The performance period for this grant follows the federal fiscal calendar year, which runs from October 1, through September 30, each year. ***Costs incurred outside the performance period are not eligible under this grant.***

### Matching Requirements

Grant recipients “must provide 20 percent of the direct and indirect costs of all activities covered under the grant award program with non-Federal funds. Recipients may either use cash...in-kind...contributions, or a combination...to meet this requirement.” *Title 49, Code of Federal Regulations, Part 110.60(a)*

**EXAMPLE:** If the total cost of an eligible project is \$50,000, the grant recipient is eligible to receive \$40,000 (\$50,000 x 80%) in HMEP grant funding; the balance of \$10,000 is the grant recipient's non-Federal (match) share.

Types of cost sharing contributions allowed under this grant include, but are not limited to:

- any funds from a state, local or other non-federal source used for an eligible activity as defined in 49 CFR 110.40

- the dollar equivalent value of an eligible activity as defined in 49 CFR 110.40, provided by a state, local or other non-federal source
- the value of participants' salary while attending a planning or training activity contained in the approved grant application provided by a state, local or other non-federal source

**NOTE: The following costs can not be used for match:**

- Funds used for matching purposes under any other Federal grant or cooperative agreement.
- Funds expended by a recipient agency to qualify for the grant.

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**Definition of an LEPC**

"Local Emergency Planning Committee (LEPC) means a committee appointed by the State Emergency Response Commission under section 301(c) of the Emergency Planning and Community Right-to-Know Act of 1986 ...that includes at a minimum, representatives from each of the following groups or organizations: elected State and local officials; law enforcement, firefighting, civil defense, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the emergency planning requirements." *49 CFR 110.20*

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**Eligible Applicants for Planning Funds**

Local governments are eligible to apply for this grant. Local governments are defined as,

"...a county, municipality, city, town, township, local public authority...school district, special district, intrastate district, council of governments...any other regional or interstate government entity, or any agency or instrumentality of a local government." *Title 49, Code of Federal Regulations (CFR), Part 18.3*

NOTE: Federal regulations require that at least 75% of the planning award be distributed to the LEPCs, however, California LEPCs do not have the ability to receive and distribute grant funds. Since the regulation's intent is that LEPCs control the use of HMEP funds, grant applications must be approved by the LEPC before being forwarded to the Governor's Office of Emergency Services (OES).

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**Planning Funds**

Local governments will be subgranted a minimum of 75% percent of the federal planning funds.

## Part One - Grant Overview, Continued

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### **Planning Expenditures**

#### Authorized

HMEP planning funds may be used for the following purposes:

- Development, improvement, and implementation of emergency plans required under the EPCRA, as well as exercises that test the emergency plans. Enhancement of emergency plans to include hazards analysis, as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials.
- An assessment to determine the flow patterns of hazardous materials within the state, between states or Native American lands, and development and maintenance of a system to keep such information current.
- An assessment of the need for regional hazardous materials emergency response teams.
- An assessment of local response capabilities.
- Conduct emergency response drills and exercises associated with emergency preparedness plans.
- Provision of technical staff to support the planning effort.
- Additional activities appropriate to implement the scope of work for the proposed project plan and approved in the grant. These activities must be approved by OES before initiated.

#### Unauthorized

HMEP planning funds may NOT be used for the following purposes:

- Costs incurred before October 1, or after September 30, of the performance period
- Costs not approved by OES
- Equipment purchases
- Salaries for participation in exercises (Personnel costs associated with designing the exercise may be allowable.)
- Overtime wages or call backs
- Food items
- Software programs not approved by OES

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**Recipient Responsibilities**

Grant Recipient responsibilities include:

1. Complying with all assurances and certifications contained in the Grant Assurances form (see Appendix A).
  2. Preparing quarterly progress reports for the duration of the performance period, or until all approved work has been completed. Further reporting details are included in Part Three – The Performance Period, under "Quarterly Progress Reports".
  3. Maintaining financial management systems that support grant activities in accordance with 49 CFR Parts 18.20 and 110.70.
  4. Requesting OES' prior approvals before initiating any grant activities that vary from the approved grant scope of work. Further details are included in Part Three - The Performance Period, under "Revision Requests".
  5. Notifying OES, in writing, within 30 days of the completion of all grant activities.
  6. Submitting Final Grant Report and remit unexpended grant funds.
  7. Maintaining property, programmatic and financial records in accordance with the grant record retention requirements. Further details are contained in Part Three - The Performance Period, under "Record Retention Requirements."
  8. Complying with the audit requirements contained in Office of Management and Budget (OMB) Circular A-133, and 49 CFR Parts 18.26.
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**Applicable Laws, Regulations, and Guidance Documents**

OES encourages the applicants to comply with the following laws, regulations and guidance documents that apply to this grant:

- 42 U.S.C. 11001, the Emergency Planning and Community Right-to-Know Act of 1986, Sections 301 and 303  
<http://www.epa.gov/region5/defs/html/epcra.htm>
  - Office of Management and Budget (OMB) Circulars A-87, A-102, A-133  
([www.whitehouse.gov/OMB/grants/index.html](http://www.whitehouse.gov/OMB/grants/index.html))
  - Title 49, Code of Federal Regulations (CFR)  
<http://www.access.gpo.gov/nara/cfr>
  - U.S. Department of Transportation (USDOT) – HMEP Grant website  
<http://hazmat.dot.gov/hmep.htm>
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**Contact Information**

Technical assistance is available throughout the application and grant performance process. Contact the Governor's Office of Emergency Services (OES) Hazardous Materials Unit, Diana Melroe at (916) 845-8778

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## Grant Timelines

The Grant timelines are:

Due Date	Activity
August 15	Submit LEPC approved application to OES.  <b>Applications received after this date may not be considered for project funding.</b>
August 31	OES completes application review process.  <b>Award notifications will be sent to grant recipients after the application review process has been completed.</b>
September 30	Local's Assistance Agreement due to OES  <b>NOTE: Project activities cannot be reimbursed until OES receives the signed Assistance Agreement.</b>
October 1	Eligible grant activities may begin.
January 15	For the duration of the performance period or until all grant activities are completed and the grant is formally closed, a performance report is due to OES by <u>January 15</u> for the period covering <u>October 1 through December 31</u> (or any partial portion of this period).
April 15	For the duration of the performance period or until all grant activities are completed and the grant is formally closed, a performance report is due to OES by <u>April 15</u> for the period covering <u>January 1 through March 31</u> (or any partial portion of this period).
July 15	For the duration of the performance period or until all grant activities are completed and the grant is formally closed, a performance report is due to OES by <u>July 15</u> for the period covering <u>April 1 through June 31</u> (or any partial portion of this period).
September 30	All grant work must be completed and paid for.
October 15	The Final Grant Report must be submitted to OES.

## Part Two - Planning Application Requirements and Process

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### **Application Components**

The application must include the following documents:

- Application Form
- Designation Statement
- Grant Project Narrative
- Work Schedule and Deliverables Form
- Budget Sheet
- Vendor Data Record (if required)
- Grant Assurances

These forms can be found in Appendix A.

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### **Designation Statement**

The Designation Statement appoints agents authorized to execute any actions necessary under this grant. Local governments are required to file a signed Designation Statement with the HMEP application.

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### **Grant Program Narrative**

Complete the Project Narrative form provided in Appendix A. On the form, itemize the major project objectives and describe how the proposed activities will accomplish these objectives. The narrative must fully describe the proposed work and indicate major milestones. The project activities must be listed chronologically on the Work Schedule and Deliverables Form, along with the project tasks and deliverable within each activity. If the application is approved, the Project Narrative will become the approved scope of work. The Narrative should be concise and is limited to a maximum of two pages.

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### **Work Schedule and Deliverables Form**

In an outline format, the Work Schedule and Deliverables form must show the:

- project activities in the Program Narrative, listed chronologically, along with their supporting project tasks, deliverables and major milestones
- duration of the activities and tasks
- date each deliverable will be submitted

The progress of each activity may be tracked by placing an indicator in the appropriate "monthly progress schedule" box, where "1" represents October and "12" represents September

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## Part Two - Planning Application Requirements and Process, Continued

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<b>Budget Sheet</b>	The Budget Sheet shall show the total costs to be incurred during the grant performance period. All costs must be reasonable, allocable, and allowable, and work performed prior to October 1, is not eligible. Applications may not include profit as a line item. The project should be planned without requiring overtime work. A breakdown must be provided to explain each line item in the Budget Sheet. This breakdown must detail the costs that are to be paid by the grant and the costs that will be paid by the grant recipient as their match share. If services by a consultant/contractor are expected to be performed, contact should be made with them prior to submitting line item cost estimate.
<b>Application Due Date</b>	LEPC approved local government applications are due to OES by August 15, each year. Incomplete applications will not be approved. LEPC's are to submit applications in a group package, listing the regions priorities.

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## Part Three - Performance Period

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### OES Approval of Application

OES will notify the grant recipients, in writing, of the approved application and award amount.

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### Reimbursement of Expenditures

Planning funds will be disbursed to grant recipients on a reimbursement basis using the Reimbursement Request form included in Appendix A. Reimbursement requests can be submitted no more frequently than monthly to OES' Hazardous Materials Unit.

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### Revision Requests

All changes to the grant recipient's approved scope of work and budget must be submitted to OES. Revisions must be requested in writing and approved **prior** to initiating the revised scope of work or incurring the associated expenditures. These changes can be requested as part of the Quarterly Report process, or at any other time by contacting the Grant Administrator.

Failure to submit revision requests and receive approval prior to expenditure could result in a reduction or disallowance of that part of the grant.

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### Quarterly Progress Reports

Grant recipients must prepare and submit quarterly progress reports to OES for the duration of the performance period, or until all grant activities are completed and the grant is formally closed. The reports must include the status of all activities. The reports are due to OES as follows:

- Performance Period October 1, through December 31, – **due by January 15**
- Performance Period January 1, through March 31, – **due by April 15**
- Performance Period April 1, through June 30, – **due by July 15**
- Performance Period July 1, through September 30, – **due by October 15. (THIS IS THE FINAL PERFORMANCE REPORT)**

A quarterly report template, with instructions, will be distributed under separate cover prior to the deadline for each report. Failure to submit quarterly reports could result in grant reduction, termination or suspension.

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## Part Three - Performance Period, Continued

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### **Procurement Requirements**

All grant recipients must follow their own procurement requirements as long as they meet the federal requirements at a minimum. Federal procurement requirements for this grant can be found in:

- OMB Circular A-102
  - 49 CFR Parts 18.36 and 110.80
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### **OES Monitoring**

OES may perform periodic reviews of the local government's grant performance. These reviews may include, but are not limited to:

- comparing actual grant activities to those approved
  - confirming compliance with:
    - Grant Assurances
    - Information provided on the quarterly and/or final grant reports
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### **Record Retention Requirements**

Record retention requirements can be found in 49 CFR 18.42. Generally, records must be kept for three years beginning from the end of the project year.

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### **Accessibility of Records**

The Department of Transportation, the Comptroller General of the United States, OES, or any of their authorized representatives, shall have the right of access to any books, documents, papers, or other records which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. The right of access is not limited to the required retention period but shall last as long as the records are retained. Refer to 49 CFR 18.42.

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## Part Three - Performance Period, Continued

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### **Suspension or Termination**

OES may suspend or terminate grant recipient funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failing to comply with the requirements or statutory objectives of federal or state law.
- Failing to make satisfactory progress toward the goals or objectives set forth in the grant recipient's application.
- Failing to follow grant agreement requirements or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- Failing to submit required reports.
- Filing a false certification in the application or other report or document.

Before taking action, OES will provide the grant recipient reasonable notice of intent to impose measures and will make efforts to resolve the problem informally.

## Part Four - Grant Closeout Process

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### **Final Grant Report**

The grant recipient must notify OES when all approved grant activities have been completed and paid for. The notice must be submitted by October 15 and be in the form of a final Progress Report..

***Reminder:*** All work must be completed and paid for by September 30, and the Final Grant Report is due to OES no later than October 15.

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### **OES Closeout Review and Notification**

OES will review the grant recipient's Final Grant Report for compliance with all grant conditions. Once compliance has been verified.

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### **Financial Reconciliation of Final Grant Report**

If the Final Grant Report indicates that the grant recipient:

- is owed additional funds, grant recipient must submit a request for reimbursement. Substantiation must be attached.
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### **Audit Requirements**

Grant recipients must comply with the audit requirements contained in OMB Circular A-133 and 49 CFR Parts 18.26.

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## Part Five - Appendices

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### Appendices

The following appendices are included with this Guide:

Appendix	Description
A	Application Forms <ul style="list-style-type: none"><li>• Application Form</li><li>• Designation Statement</li><li>• Grant Project Narrative</li><li>• Work Schedule and Deliverables Form</li><li>• Budget Sheet</li><li>• Payee Data Record</li><li>• Grant Assurances</li><li>• Reimbursement Request Form</li></ul>
B	Abbreviations and Acronyms

## Appendix A - Application Forms

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# APPLICATION FORM

## Hazardous Materials Emergency Preparedness Planning Grant

<b>Applicant</b>	<b>Date</b>
<b>Project Title</b>	
<b>Mailing Address</b>	<b>Project Start Date</b>
	<b>Project End Date</b>
<b>Project Manager Name, Title, Phone Number and E- Mail Address:</b>	
<b>Estimated Budget</b> <div style="margin-left: 150px;">HMEP Share: \$ _____</div> <div style="margin-left: 150px;">Match Share: \$ _____</div> <div style="margin-left: 150px;">Total Budget: \$ _____</div>	<b>Office Use Only</b> LEPC Region _____  Project # _____  State FY _____ FY _____
<b>CERTIFICATION</b>	
I certify that I have read and understand the terms and conditions contained in the HMEP Guidelines and Application, and that to the best of my knowledge the information contained in this application and supplemental information is correct and complete.	
<b>Name and Signature of Applicant</b>	<b>Date</b>
<b>ADMINISTRATIVE APPROVALS</b>	
<b>Name and Signature of LEPC Chair</b>	<b>Date</b>
<b>Name and Signature of OES LEPC Staff Support</b>	<b>Date</b>
<b>Name and Signature of Grant Administrator</b>	<b>Date</b>
<b>Name and Signature of HazMat Unit Manger</b>	<b>Date</b>



## INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

Field Name	Description of Information Required
Applicant	The full name of the organization.
Date	Date of submittal of application package to LEPC .
Project Title	A brief title of project.
Mailing Address	The address for correspondence and reimbursement checks.
Project Start/End Dates	Anticipated start and end date of the proposed project.
Project Manager, Title, Phone, and e-mail address	The person in the organization who is responsible for the daily implementation of the project.
Estimated Budget *	The amount of HMEP funds being requested, match funds that will be contributed by the applicant, and the total of the project budget (HMEP funds + match share).
Certification	Signature of the person in the organization with the ultimate responsibility for the project and who has the legal authority to speak for the applicant.

\*It is important not to over or under estimate costs for the project budget as this is the amount of award that will be submitted for approval. Take into consideration amount of staff time that will be required, cost of consultant/contractor supplies, etc. Do not guess on amount of funding the project will cost.

## DESIGNATION STATEMENT

Applicant \_\_\_\_\_ Date \_\_\_\_\_

Project Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

Project Manager \_\_\_\_\_ Phone \_\_\_\_\_

Title \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Financial Officer\* \_\_\_\_\_ Phone \_\_\_\_\_

Title \_\_\_\_\_

HMEP Funds Requested \$ \_\_\_\_\_

Match Contribution \$ \_\_\_\_\_

Total Project Budget \$ \_\_\_\_\_

\*FINANCIAL OFFICER CANNOT BE THE PROJECT MANAGER

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## CERTIFICATION

I certify that I have the legal authority to make a commitment to the project on behalf of the applicant and that the project manager indicated above has the responsibility for the daily implementation of the proposed project.

I certify that I am duly authorized to act on behalf of the recipient organization and the recipient agrees with the requirements of the "Offer and Acceptance" clause, and that the award is subject to the applicable provisions of 49 CFR § 110 et seq., 49 CFR Part 18, and of the provisions of the Governor's Office of Emergency Service's Assistance Agreement.

I certify that the financial manager indicated above has the responsibility for the fiscal management of the grant and has the legal authority to certify all financial status reports, invoices and requests for payments that will be submitted.

I certify that the information in the attach application is true to the best of my knowledge. By submitting this application, I am making a commitment to the proposed project, budget, match share and scope of work (Project Narrative and Work Schedule and Deliverables)

\_\_\_\_\_

Applicant

Title

Date

## INSTRUCTIONS FOR COMPLETING DESIGNATION STATEMENT

Field Name	Description of Information Required
Applicant	The full name of the organization or person.
Date	Date of submittal of application package.
Project Title	A brief title of project.
Mailing Address	The address for correspondence and reimbursement checks.
Project Manager, Title, Phone, and e-mail address	The person in the organization who is responsible for the daily implementation of the project.
Financial Officer, Title and Phone	The person responsible for the fiscal management of the grant. This person must certify all financial status reports, invoices, and requests for payment submitted. <b>The financial officer cannot be the Project Manager.</b>
HMEP Funds Requested	The amount of HMEP funds being requested.
Match Contribution	A minimum 20% match to the amount of HMEP funds requested.
Certification	Signature of the person in the organization with the ultimate responsibility for the project and who has the legal authority to speak for the applicant.

## PROJECT NARRATIVE

Applicant: \_\_\_\_\_

Project Title: \_\_\_\_\_

[illegible]

## WORK SCHEDULE AND DELIVERABLES

Applicant \_\_\_\_\_

Project Title \_\_\_\_\_

[illegible]

# BUDGET SHEET

Applicant \_\_\_\_\_

Project Title \_\_\_\_\_

	HMEP SHARE	MATCH SHARE	TOTAL COSTS
<b>PERSONNEL SERVICES</b>			
Salaries and Wages			
<b>OPERATING EXPENSES</b>			
Travel			
Office Supplies			
Facility Rental			
Communications			
Printing			
Postage			
Other Direct Expenses			
<b>SUBTOTAL</b>			
<b>PROFESSIONAL SERVICES</b>			
Professional/Consultant			
<b>TOTAL COSTS</b>			

## INSTRUCTIONS FOR COMPLETING THE BUDGET SHEET

Field Name	Description of Information Required
Applicant	The full name of the organization or person.
Project Title	A brief title of project.
Personnel Services	Included in personnel services are the salaries and wages for wage-earning personnel employed by the applicant, who will be working on the project. These types of costs for a third party are to be indicated under Professional Consultant Services. Grant recipients are required to keep up to date time charge records for the project for the duration of the grant.
Salaries and Wages	Includes the salaries and wages calculated by multiplying the number of person-time-periods (months, day, hours) for each applicant employee (whether permanent, seasonal, temporary, etc.) by the appropriate monthly salary, or daily or hourly wage. For example, a typist needed at 33 percent participation (or one third time) for six months will work for two person months. If the typist earns a salary of \$800 per month, the total salary added to the project is: 2 months x \$800 per month = \$1600.
Operating Expenses	These include any charges and travel costs necessary for the completion of the project, plus any other operational costs. The grant recipient will be required to keep an up to date inventory of all operation expenses associated with the proposed project. The operating expenses line items require brief written justifications describing the need for these items, how the dollar amounts were derived and how the items will be used for the project.
Travel	Includes the cost of transportation, subsistence, and other associated costs incurred by applicant personnel that are directly related to the project. (Note: All non-governmental organized work shall be submitted under Professional Services).
Office Supplies	Includes all supplies generally attributed to an office, which are necessary for the completion of the project.
Facility Rental	Includes all bids and invoices for facility rental expenses, which are necessary for the completion of the project. No food charges are to be included with facility rental bids or charges.
Communications	Includes all telephone, fax, etc. charges necessary for the completion of the project. A breakdown must be provided to justify the relation of these charges to the project.
Printing	Includes all printing and reproduction charges, developed as a result of the project. Direct and indirect costs of printing and reproduction of printed materials shall be included, but must be relevant to the project.
Postage	Includes all types of postage necessary for the completion of the project.
Other Direct Expenses	Includes all costs not specially mentioned above. These costs must not be duplicated in other budget items.
Professional Services	These expenses include the total costs for any subcontractors needed by the applicant to undertake the activities specified in the Scope of Work. These costs must be itemized showing travel, equipment, general operating expenses, salaries, and other costs. The applicant will assume full responsibility for the actual subcontracting process, liability, and responsibility for completion of the project as described in the Scope of Work. (Note: All non-government organized work shall be submitted under Professional Services.)
Match Share	Match share is the dollar amount to be provided by the applicant during the term of the grant. When estimating costs, the applicant must indicate the total cost for the project, and then subtract the amount eligible for grant funding. The amount left over is the required 20% Match Share. The Match Share must be actual cost to the grant recipient of matching services. Each budget subtotal line item shall show actual dollars spent for the calculated dollar value for the matching services as the Match Share contribution from the grant recipient. The Match Share may be contributed in any or all of the budget line item categories. For example, \$400 worth of personnel services, or a combination of \$200 of personnel services plus \$200 of operating expenses, or a different distribution that totals \$400 would be equally acceptable.

## Office of Emergency Services

### ***Grant Assurances for the Hazardous Materials Emergency Preparedness Grant***

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_ Fax Number: (\_\_\_\_) \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for federal assistance, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the Hazardous Materials Emergency Preparedness Grant.
2. Will assure that grant funds are only used for allowable, fair, and reasonable costs.
3. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or awarding agency directives.
4. Will provide progress reports and such other information as may be required by the awarding agency.
5. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
6. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
7. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
8. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to:
  - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin;
  - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex;
  - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which



- prohibits discrimination on the basis of handicaps;
- d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age;
  - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse;
  - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
  - i. Title 49, Code of Federal Regulations, Parts 21 and 27;
  - j. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
  - k. The requirements on any other nondiscrimination statute(s), which may apply to the application.
9. Will comply, if applicable, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of federal participation in purchases.
  10. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
  11. Will comply, if applicable, with environmental standards which may be prescribed pursuant to the following:
    - a. institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
    - b. notification of violating facilities pursuant to EO 11738;
    - c. protection of wetlands pursuant to EO 11990;
    - d. evaluation of flood hazards in floodplains in accordance with EO 11988;
    - e. assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
    - f. conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.);
    - g. protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
    - h. protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
  12. Will comply, if applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance, if applicable, with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq).
14. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
15. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the applicant's application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
  - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the federal or state government.
  - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
  - c. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per federal fiscal year.
16. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
17. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
18. Will comply, if applicable, with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
19. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
20. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
21. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."
22. Agrees that:
  - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or

- employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- b. If any other funds than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a Member of Congress in connection with the federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
  - c. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
  - d. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
23. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-federal funds.
24. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A-87, a-102, and A-133, Title 49, Code of Federal Regulations, and any other Federal laws or regulations that are applicable to this grant.
25. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
26. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent:\_\_\_\_\_

Printed Name of Authorized Agent:\_\_\_\_\_

Title:\_\_\_\_\_ Date:\_\_\_\_\_

## Appendix B – Reimbursement Request Form

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Office of Emergency Services - Hazardous Materials Emergency Preparedness Grant  
Grant Number: HMECA4033120

Reimbursement Request Form

Mail Reimbursement Request to:

Governor's Office of Emergency Services  
Hazardous Materials Unit  
3650 Schriever Avenue  
Mather, CA 95655

Grant Recipient: \_\_\_\_\_

OES ID# \_\_\_\_\_

Please mark this box to indicate a change in  
the Authorized Agent Mailing Address  
below ☐

BILLING PERIOD: From \_\_\_\_\_ to \_\_\_\_\_

**Total Expenditures**  
(100% for this billing period)

(Year to date totals)

**HMEP Share**  
(80% of total costs)

**Local Match**  
(20% of total costs)

**NOTE: The amount of Total HMEP Share and Local Match  
should equal total cost Expenditures for billing period.**

Under penalty of perjury, I certify that:

- I am the duly authorized officer of the claimant herein
- This claim is in all respects true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances
- This claim is for costs incurred within the Grant Performance Period

**Authorized Agent (per the Designation Statement)**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Title

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Fax No.

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Instruction Sheet for Reimbursement Request Hazardous Materials Emergency Preparedness Grant

<b>Grant Recipient</b>	The grant recipient is the entity identified in the original grant application. Do not identify any sub-departments or offices as the grant recipient.
<b>OES ID #</b>	This is the grant recipient's identification number as identified on the Assistance Agreement sent with the application approval letter.
<b>Address Changes</b>	Indicate a change in address by checking the box shown and noting the new address in the area marked "mailing address" at the bottom of the form.
<b>Billing period</b>	Indicate the month and year for the beginning of the period covered and the end of the period covered.
<b>Total Expenditures</b>	Enter the total amount of your claim for this billing period.
<b>HMEP Share</b>	Enter the total amount of Federal HMEP share of your claim for this billing period.
<b>Local Match</b>	Enter the amount your jurisdiction is matching for this billing period. (20% of the total expenditures cost).
<b>Year to date totals</b>	Second column of three boxes is used to add up Total Expenditures, HMEP Share, and Local Match from the beginning of the project to the present in the respective boxes.
<b>Authorized Agent Information</b>	Complete all line items requested and ensure that the form is signed by an Authorized Agent named in the Designation Statement submitted with the original application.
<b>Mail</b>	Mail the original to the address identified at the top of the request form
<b>Supporting Documents</b>	Supporting documents <b><u>are required</u></b> to be submitted with the Reimbursement Request, however, the Governor's Office of Emergency Services reserves the right to request documentation at any time. Grant recipients are reminded to maintain documents that support the expenditures and reimbursement amounts shown on the request

## **Appendix C – Quarterly Performance Report**

**Quarterly Performance Report**  
**FY05 Hazardous Materials Emergency Preparedness Grant**  
**Grant Award # HMECA-4033120** **OES ID#**

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Subgrantee: \_\_\_\_\_ Performance Period: \_\_\_\_\_

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**Mailing Instructions:** Please complete the performance report and return it to:

**Governor's Office of Emergency Services**  
**Hazardous Materials Unit – Diana Melroe**  
**3650 Schriever Avenue**  
**Mather, CA 95655**

**Questions** regarding the completion of this performance report should be directed to the Grant Administrator, Diana Melroe at (916) 845-8778, or via e-mail at [diana.melroe@oes.ca.gov](mailto:diana.melroe@oes.ca.gov)  
Performance Reports can be faxed to (916) 845-8736, with hard copies mailed to the above address.

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## Part I – Authorized Agent Information

Are the following people still Authorized Agents for this grant?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yes <input type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/>	No <input type="checkbox"/>

Is the mailing address still accurate?

Yes ☐ No ☐

If no, please provide correct mailing address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Part II – Project Narrative, Activities and Completion Date

Is the Project Narrative, as described in your agency's original application, still accurate?

Yes ☐ No ☐

If no, please explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



Are the Project Activities, Tasks and Deliverables, as described in your agency's original application, still accurate?

Yes ☐ No ☐

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list the Project Activities, Tasks and Deliverables that were completed during this Performance Period.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is the anticipated completion date for the project? \_\_\_\_\_

NOTE: All eligible work for this grant must be completed by September 30, and time extensions can not be granted.

If the approved project will not be completed by September 30, please explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### Part III – Financial Summary

Amount Awarded to the Subgrantee \$ \_\_\_\_\_

Total grant funds disbursed to the Subgrantee \$ \_\_\_\_\_

Subgrantee expenditures to date on this grant \$ \_\_\_\_\_

Has your agency requested reimbursement for all grant expenditures to date?

Yes ☐ No ☐

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE:** Subgrantees must fill out a *Reimbursement Request* form to request grant payments. Please refer to the OES Planning Grant Guide for a copy of the Reimbursement Request form and instructions. OES recommends that subgrantees request reimbursement as soon as eligible grant expenditures are incurred. A Reimbursement Request form may be submitted with this Performance Report. If the form and report are returned via fax, the payment process can not be completed until OES receives an original and signed Reimbursement Request form.

Is the budget in the original application still accurate?

Yes ☐

No ☐

If no, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## Part IV – Certification and Signature of Authorized Agent

Please check Yes or No for the following statement:

This performance report represents the final report for this grant. All grant activities have been completed and paid for, and indicated in *Part III, Financial Summary, Subgrantee expenditures to date on this grant.*

Yes ☐

No ☐

I certify that I am a duly Authorized Agent of \_\_\_\_\_ and the representations made in this performance report are true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

## Appendix D - Abbreviations and Acronyms

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CFR	Code of Federal Regulations
CSTI	California Specialized Training Institute
DOT	United States Department of Transportation
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act of 1986
FFY	Federal Fiscal Year
FOIA	Freedom of Information Act
HMEP	Hazardous Materials Emergency Preparedness
LEPC	Local Emergency Planning Committee
OES	California Governor's Office of Emergency Services
OMB	United States Office of Management and Budget
RSPA	Research and Special Programs Administration